IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7891 OF 2005

WITH

CIVIL APPLICATION NO.1830 OF 2006

Gurudatta Dnyanpeeth Morve & Ors. ...Petitioners

Vs.

The State of Maharashtra & Ors. ...Respondents

Mr.I.M.Khairadi with Mr.S.M.Kamble for the
Petitioners.
Mr.C.R.Sonawane, A.G.P. for Respondent Nos.1 to 4.
Mr.Uday P.Warunjikar for Respondent No.6.

CORAM :- B.H.MARLAPALLE &
NARESH H.PATIL,JJ.

DATE :- 26TH SEPTEMBER,2006

P.C.

1. Heard Mr.Khairadi with Mr.Kamble, the learned Counsel for the Petitioners. The Government of Maharashtra had granted permission to the Petitioner-Society to open a Secondary School starting from 8th standard in Marathi medium at village Morve, Tq.Khandala, Dist.Satara, as per the order dated 11th January, 2001. However, the said order came to be withdrawn with effect from 4th April, 2001. Secondly, by letter dated 15th July, 2005, the Education Officer (Secondary), Zilla Parishad, Satara called upon the Petitioner to close the secondary school at village Morve and therefore, the Petitioner has approached this Court.

2. Pursuant to the directions issued by us, additional affidavits have been placed on record

stating that in view of the students' strength in 5th and 7th standard in neighbouring villages within a radius of 5 km. with reference to Shindewadi, there is a justification for one more school, to be started from 8th standard onwards at Shindewadi. This claim can be more properly considered by the State Government in case, the Petitioner submits a fresh application for permission to open a secondary school at village Shindewadi for the ensuing academic year.

3. If such a proposal is submitted before 30th November, 2006 with requisite compliance, we direct the Respondent-State Authorities to consider the proposal as per the revised guide lines as may be applicable at present and the decision shall be intimated to the Petitioner by 31st May, 2007. Petition is disposed off in terms of the above directions.

4. In view of the disposal of the Writ Petition, the Civil Application does not survive.

(NARESH H.PATIL,J.) **(B.H.MARLAPALLE,J.)**